

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

MOUNTAIN EXPRESS OIL COMPANY, et al.,

Debtors.¹

Chapter 11

Case No. 23-90147 (DRJ)

(Jointly Administered)

**ORDER (I) AUTHORIZING THE DEBTORS TO REJECT CERTAIN
UNEXPIRED LEASES, SUBLEASES AND OTHER CONTRACTS PURSUANT
TO 11 U.S.C. § 365, AND (II) GRANTING RELATED RELIEF**

(Related Docket No. 295)

Upon consideration of the first omnibus motion (the “Motion”)² of the above-captioned debtors and debtors in possession (the “Debtors”) for entry of an order, pursuant to section 365 of title 11 of the United States Code (the “Bankruptcy Code”), authorizing the Debtors to reject those unexpired leases and subleases (the “Rejected Agreements”) set forth in **Exhibit 1** hereto;³ and it appearing that this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and it appearing that this proceeding is a core proceeding pursuant to 28 U.S.C. §§ 1408 and 1409; and adequate notice of the Motion having been given; and it appearing that no other notice need be given; and after due deliberation and sufficient cause appearing therefore, **IT IS**

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ proposed claims and noticing agent at www.kcellc.net/mountainexpressoil. The location of Debtor Mountain Express Oil Company’s principal place of business and the Debtors’ service address in these chapter 11 cases is 3650 Mansell Road, Suite 250, Alpharetta, GA 30022.

² Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

³ The Rejected Agreements do not include certain leases which were the subject of the Motion but which have been rejected separately. *See Stipulation and Agreed Order (I) Granting, as to the Necessity Landlords, the Debtors’ Emergency First Omnibus Motion for Entry of an Order Authorizing the Debtors to Reject Certain Unexpired Leases, Subleases and Related Contracts Pursuant to 11 U.S.C. § 365 and (II) Resolving the Necessity Landlords’ Motion for Entry of an Order Compelling the Debtors to Comply with Post-Petition Obligations Under Expired Leases of Real Property with Respect to the Rejected Leases Pursuant to 11 U.S.C. § 365(d)(3)* [Docket No. 672].

HEREBY ORDERED THAT:

1. The Motion is **GRANTED**, as set forth herein.
2. Each of the Rejected Agreements listed on **Exhibit 1** attached hereto is deemed rejected effective as of June 30, 2023.
3. Within three (3) business days after entry of this Order, the Debtors will serve this Order on the counterparties to each Rejected Agreement.
4. Pursuant to Rule 3002(c)(4), any claim arising from the rejection of a Rejected Agreement shall be filed within 60 days from the date of entry of this Order.
5. Notwithstanding the possible applicability of Rules 6004(g), 7062, or 9014 of the Federal Rules of Bankruptcy Procedure, or otherwise, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
6. The Debtors are authorized to take all actions necessary to effectuate the relief granted pursuant to this Order in accordance with the Motion.
7. This Court shall retain exclusive jurisdiction and power with respect to all matters arising from or relating to the interpretation, implementation, or enforcement of this Order.

Dated: _____, 2023

DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Exhibit 1-A

(Rejected Agreements – Subleases)

Listed in Alphabetical Order by State and City

Store No.	Property Location Information				Contract Counterparty(ies) ¹	Debtor Entity	Contract Title ²	Contract Description
	Address	City	State	Zip				
551	3259 Alabama Hwy 157	Cullman	AL	35058	SAMU2018, INC., MAMINDRA KARKI	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
561	200 Governors Drive	Huntsville	AL	35801	ZOOM ONE LLC, SALIM SADHUBHAI VIRANI	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
560	8000 (a/k/a 8150) Whitesburg Drive S.	Huntsville	AL	35802	EMPIRE 1 INC., HELAL MOHAMED NAGI ALFAQEH	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
557	8500 Old Madison Pk.	Huntsville	AL	35758	MADISON FOOD MART, INC., EMAN ALGUMAI	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
675	3631 Hwy 367 S.	Searcy	AR	72143	KARMA ALLIANCE LLC MOHSIN VIRANI ASIF VALANI HYDER K. LALANI SAMAYA ENTERPRISES LLC SAMSHU MERCHANT	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
528	2155 Buford Dam Rd.	Buford	GA	30518	2155 BUFORD DAM LLC, BANTIKUMAR RAMANLAL THAKKAR	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE LEASE CONTRACT	Sublease
181	2380 Peachtree Industrial Blvd.	Buford	GA	30518	AA FUELS LLC, AND KAZI WADUD	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
153	2619 Holly Springs Pkway	Canton	GA	30115	HOLLY KWIK MART INC. TANISHA DAMANI BHAVESH N SHAH	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
413	1801 Sigman Rd NW	Conyers	GA	30012	1801 SIGMAN LLC, NAVEEN KUMAR KOTHA, SIGMAN	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease

¹ In certain instances, identified contract counterparties may be predecessors in interest to current contract counterparties. See Docket No. 293.

² Any and all amendments, supplements, restatements, extensions, and other modifications of each agreement listed herein are incorporated by this reference, whether or not they are expressly listed below.

Store No.	Property Location Information				Contract Counterparty(ies) ¹	Debtor Entity	Contract Title ²	Contract Description
	Address	City	State	Zip				
					CAPITAL LLC, LINDEN MICHAEL AULT			
359	9123 US-278	Covington	GA	30014	COVINGTON FRIENDS LLC, AMIN MADHANI, SHAHEED SIRAJ MOTANI	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
271	4150 Hwy 19	Dahlonega	GA	30533	OPEN COUNT, LLC SONIKA AHLUWALIA TUSHAR PATEL ASPEN GOLD LLC	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE CONTRACT	Sublease
457	1431 Bowman Hwy	Elberton	GA	30635- 3905	JTG & PAWAR LLC	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE CONTRACT	Sublease
289	4209 Jonesboro Rd.	Forest Park	GA	30297	AKAS USA LLC SARMAN MAPCHHAN	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
486	4700 Jonesboro Rd.	Forest Park	GA	30297	NABEEL GROUP OF COMPANIES	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE LEASE CONTRACT	Sublease
366	10355 Tara Blvd	Jonesboro	GA	30014	SMART BUSINESS VENTURES, INC.	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE CONTRACT	Sublease
606	10801 E. Veterans Memorial Hwy	Lithia Springs	GA	30122	LITHIA KWIK MART INC. KARIM FEROZALI KESHWANI BHAVESH SHAH	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
374	3229 Bankhead Hwy	Lithia Springs	GA	30122	MASELA SPRINGS, INC., NUR LAILI SHOIM, HAGIAO THI NGUYEN	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
405	780 Conyers Rd.	Loganville	GA	30052	LOGANVILLE VENTURES LLC, ADNANALI MAKHANI	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
497	1105 Gray Hwy	Macon	GA	31211	RIYZAH LLC, ZOHRA ARIF AMLANI MAYANKN PANDYA	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE LEASE CONTRACT	Sublease

Store No.	Property Location Information				Contract Counterparty(ies) ¹	Debtor Entity	Contract Title ²	Contract Description
	Address	City	State	Zip				
415	3705 Irwinton Rd	Macon	GA	31217	FASYNC LLC, MUHAMMAD NADEEM AHMAD	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE CONTRACT	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	RYSHA MEDLOCK INC. HARSHAD JERAM RIYAZ KHETANI	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
183	336 Hwy 138 SW, Suite A	Riverdale	GA	30274	SHAMIR LALANI	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
498	2355 Scenic Hwy	Snellville	GA	30078	SIDDHI VINAYAK CAPITAL LLC, SHAILESH KRISHNALAL SHAH	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL REAL ESTATE LEASE CONTRACT	Sublease
485	4606 E. Fairview Rd. SW	Stockbridge	GA	30281	SHEIKH'S LLC, IRAM M MAHMOOD	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
190	12499 Hwy 27	Summerville	GA	30747	GOLDEN YORK LLC ANKIT KIRITBHAI PATEL	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
220	6425 Bells Ferry Rd.	Woodstock	GA	30189	KHALEDA FANCY M.D. FAZUL HOQUE	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
514	5270 E. Hwy 83	Rio Grande City	TX	78582	NAWAZ SAYANI, IQBAL NASAR, AND ALI SHAHZAD	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease

Exhibit 1-B

(Rejected Agreements – Related Agreements)

Listed in Alphabetical Order by State and City

Store No.	Property Location Information				Contract Counterparty(ies)	Debtor Entity	Contract Title ¹	Contract Description
	Address	City	State	Zip				
181	2380 Peachtree Industrial Blvd.	Buford	GA	30518	THE DAWG HOUSE BURGERS AND MORE LLC, AND MICHAEL SETH SAMUELS	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
181	2380 Peachtree Industrial Blvd.	Buford	GA	30518	THE DAWG HOUSE BURGERS AND MORE LLC, AND MICHAEL SETH SAMUELS	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
181	2380 Peachtree Industrial Blvd.	Buford	GA	30518	THE DAWG HOUSE SEAFOOD COMPANY, AND MICHAEL SAMUELS	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
181	2380 Peachtree Industrial Blvd.	Buford	GA	30518	THE DAWG HOUSE BURGERS AND MORE LLC, AND MICHAEL SETH SAMUELS	MOUNTAIN EXPRESS OIL COMPANY	ACKNOWLEDGEMENT LETTER	Miscellaneous
181	2380 Peachtree Industrial Blvd.	Buford	GA	30518	STATE BANK AND TRUST COMPANY D/B/A PATRIOT CAPITAL	MOUNTAIN EXPRESS OIL COMPANY	EQUIPMENT FINANCE AGREEMENT	Equipment Agreement

¹ Any and all amendments, supplements, restatements, extensions, and other modifications of each agreement listed herein are incorporated by this reference, whether or not they are expressly listed below.

Store No.	Property Location Information				Contract Counterparty(ies)	Debtor Entity	Contract Title ¹	Contract Description
	Address	City	State	Zip				
359	9123 US-278	Covington	GA	30014	ROLLING ROCK VAPOR III LLC	MOUNTAIN EXPRESS OIL COMPANY	AMENDED AND EXTENDED COMMERCIAL REAL ESTATE LEASE CONTRACT	Sublease
359	9123 US-278	Covington	GA	30014	TITLEMAX OF GEORGIA, INC	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
486	4700 Jonesboro Rd.	Forest Park	GA	30297	STATE BANK AND TRUST COMPANY D/B/A PATRIOT CAPITAL	MOUNTAIN EXPRESS OIL COMPANY	EQUIPMENT FINANCE AGREEMENT	Equipment Agreement
497	1105 Gray Hwy	Macon	GA	31211	STATE BANK AND TRUST COMPANY D/B/A PATRIOT CAPITAL	MOUNTAIN EXPRESS OIL COMPANY	EQUIPMENT FINANCE AGREEMENT	Equipment Agreement
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	SOUTHEAST FITNESS GROUP LLC	MOUNTAIN EXPRESS OIL COMPANY	AMENDED AND RESTATED COMMERCIAL LEASE	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	SABRINA ALANIS	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	OR AFLALO	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	HA NGOC LE PHAM d/b/a HAIR CREATIONS, AND HA NGOC LE PHAM	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease

Store No.	Property Location Information				Contract Counterparty(ies)	Debtor Entity	Contract Title ¹	Contract Description
	Address	City	State	Zip				
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	1804 LLC, AND YOUNG PIERRE-LOUIS	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	1804 CARIBBEAN LLC, AND YOUNG PIERRE-LOUIS	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	ALLSOUTH ATHLETICS LLC	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	GIL'S INVESTMENTS OF ATL, LLC, AND PABLO G VICENS	MEX RE-SE-GA LLC	COMMERCIAL LEASE	Sublease
241	3425 Medlock Bridge Rd.	Norcross	GA	30092	KUAN ZUAN ZHENG	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
183	336 Hwy 138 SW, Suite A	Riverdale	GA	30274	TD 88 LLC, AND MINTAN YANG	MOUNTAIN EXPRESS OIL COMPANY	COMMERCIAL LEASE	Sublease
485	4606 E. Fairview Rd. SW	Stockbridge	GA	30281	STATE BANK AND TRUST COMPANY D/B/A PATRIOT CAPITAL	MOUNTAIN EXPRESS OIL COMPANY	EQUIPMENT FINANCE AGREEMENT	Equipment Agreement
220	6425 Bells Ferry Rd.	Woodstock	GA	30189	EL TACO LOCO, LLC, AND JOSE LUIS LOPEZ	MEX RE-SE-GA LLC	COMMERCIAL LEASE	Sublease
514	5270 E. Hwy 83	Rio Grande City	TX	78582	SPARTAN NUTRITION LLC, AND CYNTHIA RAMIREZ	MEX RE-SW-TX LLC	COMMERCIAL LEASE	Sublease